

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

ORDER NO. R7-2006-0030

WASTE DISCHARGE REQUIREMENTS
FOR
APPLE CORE ENTERPRISES, INC.
APPLEBEE'S RESTAURANT
WASTEWATER TREATMENT, AND DISPOSAL SYSTEMS
Town of Yucca Valley – San Bernardino County

The California Regional Water Quality Control Board, Colorado River Basin Region finds that:

1. Apple Core Enterprises Inc., submitted a Report of Waste Discharge (ROWD) dated December 7, 2005, for the discharge of treated restaurant and domestic wastes into seepage pits servicing its Applebee's Restaurant, 57796 29 Palms Highway, in the town of Yucca Valley. It also submitted an Engineering Report dated December 2005, in support of its ROWD. Apple Core Enterprises, Inc., 2505 16th Street S.W., Minot, ND, 58701, is hereafter referred to as Discharger.
2. The Discharger owns and operates a 300-seat restaurant that overlies the Warren Groundwater Basin in the Town of Yucca Valley.
3. The Discharger is currently discharging under Order No. 97-500, General Waste Discharge Requirements for On-site Subsurface Disposal Systems for Mobile Home and Recreational Vehicle Parks and Similar Facilities. Coverage under Order No. 97-500 was granted to the Discharger to allow them to use an existing septic disposal system until an upgraded wastewater treatment system could be installed and become operable for the restaurant. The Discharger submitted a Report of Waste Discharge, dated December 6, 2005, and applied for a permit to discharge up to 10,050 gallons per day of treated wastewater from an on-site treatment plant (hereinafter Facility). The application was deemed complete on January 5, 2006.

Wastewater System and Discharge

4. Waste from the restaurant is collected and treated with a system that consists of a grease interceptor, two primary treatment tanks, five aeration basins, and two fixed activated sludge treatment (FAST) units. Wastewater is discharged to six seepage pits for disposal. Attachments A and B, a part of this Order by reference, provide a map of the area around the restaurant and a flow schematic of the wastewater treatment plant and disposal facilities, respectively. Solids and sludge are removed from the treatment train by a licensed septage hauler and disposed in accordance with state regulations.
5. Proper operations and maintenance (O&M) of small advanced wastewater treatment systems such as this are critical to their success in consistently producing high quality effluent. It is the Discharger's responsibility to ensure that both short-term and long-term O&M needs are met. Failure to provide proper O&M of this facility may result violations of this order, and enforcement actions being taken against the Discharger. The Discharger has experienced O&M problems during wastewater treatment plant startup.

Hydrogeologic Conditions

6. The restaurant and its treatment and disposal facilities are on a site that is relatively flat, with a slight downward slope from south to north and an average elevation of 3,215 feet above sea level. The site is not within a designated FEMA 100-year flood plain.
7. Average annual precipitation for the area is 4 to 6 inches. There are no known surface waters within one mile of the site.
8. The Engineering Report includes a "Supplemental Percolation Testing for Onsite Sewage Disposal Feasibility" (SPTOSDF) report prepared by Sladden Engineering. The SPTOSDF report includes data for 7 exploratory soil borings at the project site. The borings were drilled to depths from 31 to 61 feet below ground surface (bgs):
 - a. Soils in the area proposed for the seepage pits were generally silty fine to coarse grained alluvial sand;
 - b. Percolation tests in the area of the proposed seepage pits varied from 6 to 14 gallons per square foot per day.
 - c. Groundwater was not encountered during any of the borings for the project site. Groundwater in the area of the seepage pits is believed to be in excess of 200 feet bgs.
9. The Hi-Desert Water District provides domestic water services to the Town of Yucca Valley. The District currently uses 17 groundwater wells, which draw from the Warren Valley Subbasin. Data for the nearest supply wells indicate that areal groundwater is between 200 and 280 feet bgs and varies in quality.
10. Hi-Desert Water District operates a water treatment facility operating under Board Order No. 01-088, which is designed to remove excess nitrates from groundwater prior to delivery to its customers.
11. State Water Project water is delivered via the Morongo Basin pipeline, and is recharged into the Warren Valley Basin through two percolation ponds. In 2004, approximately 4,785 acre-feet of water recharged into the Warren Valley Basin.
12. A 2003 U.S. Geological Survey report entitled "Evaluation of the Source and Transport of High Nitrate Concentrations in Ground Water, Warren Subbasin, California" concluded that:
 - a. From early 1995 through 2001, nitrate (NO_3) concentrations in ground water in the Warren Subbasin, California, increased from a background concentration of 10 milligrams per liter (mg/L) to more than the State's Maximum Contaminant Level of 45 mg/L (10 mg/L as nitrogen);
 - b. This increase coincided with an artificial ground-water recharge program implemented by the local water district, Hi-Desert Water District;
 - c. Rising ground-water levels, resulting from the artificial-recharge program, entrained high- NO_3 (nitrate) septage stored in the unsaturated zone; and
 - d. Septage from septic tanks was the primary source of NO_3 to the ground-water system.

Apple Core Enterprises, Inc.
 Applebee's Restaurant, Town Of Yucca Valley
 Waste Discharge Requirements

13. The wells nearest to the to proposed discharge are Hi-Desert Water District's Well No. 5E, which is approximately 0.5 miles northeast from the restaurant, and wells 9E and 14E which are approximately 0.5 miles west of the restaurant, near the recharge area. Groundwater in this location flows generally to the east, and is highly influenced by the faults in the area.
14. The District's 2004 Consumer's Confidence Report includes the following analyses of samples of treated water, ready for customer delivery in 2004:

<u>Constituent</u>	<u>Units</u>	<u>Average Concentration</u>	<u>Range of Concentration</u>
Arsenic	µg/L ¹	3.5	0 to 13
Fluoride	mg/L	0.66	0.28 to 1.9
Nitrate (as Nitrate)	mg/L	26.6	1.9 to 41
Total Trihalomethanes	µg/L	8.7	7.5 to 11.1
Total Dissolved Solids	mg/L	227.6	150 to 450
Chloride	mg/L	32.4	10 to 53
Sulfate	mg/L	38.1	13 to 44

¹ Micrograms per liter

Basin Plan, Beneficial Uses, and Regulatory Considerations

15. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) as amended to date designates the beneficial uses of ground and surface waters in this Region.
16. The proposed discharge is within the Joshua Tree Hydrologic Unit. The beneficial uses of ground waters in the Joshua Tree Hydrologic Unit are:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)
17. The Basin Plan establishes narrative and numeric water quality objectives for groundwater that waste discharge requirements must implement. For groundwater designated as municipal and domestic supply, the numeric objectives are the maximum contaminant levels (MCLs) and the narrative objectives are that groundwater shall not contain taste or odor producing substances in concentrations that cause nuisance or adversely affect beneficial uses.
18. The discharge authorized herein and the treatment and storage facilities associated with the discharge of treated municipal wastewater, except for discharges of residual sludge and solid waste, are exempt from the requirements of Title 27, CCR, Section 20005 et seq. (hereinafter Title 27). The exemption, pursuant to section 20090(b) of Title 27, is based on the following:
 - a. The applicable RWQCB has issued WDRs;
 - b. The discharge is in compliance with the applicable water quality control plan; and
 - c. The wastewater does not need to be managed according to Chapter 11, Division 4.5, Title 22, CCR, as a hazardous waste.

Groundwater Degradation

19. State Water Resources Control Board (State Board) Resolution No. 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State") (hereafter Resolution No. 68-16) requires a regional board in regulating the discharge of waste to maintain high quality waters of the state (i.e., background water quality) until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than as described in plans and policies (e.g. violation of any water quality objective). The discharge is required to meet waste discharge requirements that will result in the best practicable treatment or control of the discharge necessary to assure that pollution or nuisance will not occur and highest water quality consistent with maximum benefit to the people will be maintained.
20. Some degradation of groundwater from the discharge to the seepage pits is consistent with Resolution No. 68-16 provided that degradation:
 - a. is confined to a reasonable area;
 - b. is minimized by means of full implementation, regular maintenance, and optimal operation of best practicable treatment and control (BPTC) measures;
 - c. is limited to waste constituents typically encountered in domestic wastewater; and
 - d. does not result in water quality less than that prescribed in the applicable basin plan, including violation of any water quality objective.
21. The discharge from the WWTF as permitted herein, reflects best practicable treatment and control (BPTC) for the subject wastewater. The control is intended to assure that the discharge does not create a condition of pollution or nuisance and that the highest water quality defined by groundwater limitations will be maintained, which is consistent with the antidegradation provisions of State Water Resources Control Board Resolution No. 68-16. The WWTF incorporates:
 - a. technology for secondary treated domestic wastewater;
 - b. sludge handling facilities;
 - c. an operation and maintenance manual;
 - d. staffing to assure proper operation and maintenance; and
 - e. a standby emergency power generator of sufficient size to operate the treatment plant and ancillary equipment during periods of loss of commercial power.
22. After initial startup of the WWTF, an unanticipated high number of meals being served at the restaurant combined with a delay in hiring a plant operator and resulted in an overflow of the grease trap, contaminating a significant portion of the treatment and disposal process with grease, thus inhibited proper operations of the WWTF. After the problem was discovered, the Discharger hired a contract operator and instituted weekly sampling in an effort to restore efficient operations to the WWTF.

23. Waste constituents in typical domestic WWTF effluent that represent the greatest risk for groundwater degradation are nitrogen, coliforms (pathogen-indicator organisms), and dissolved salts (TDS). The proposed WWTF provides substantial removal of soluble organic matter, solids, and nitrogen. While secondary treatment also reduces fecal coliform densities by 90 to 99%, the remaining organisms in effluent are still in the order of 10^5 to 10^6 MPN/100 ml (United States Environmental Protection Agency, Design Manual, Municipal Wastewater Disinfection; October 1986). Considering the soils beneath the seepage pits and depth to areal groundwater (estimated to be at least 200 feet bgs), it is reasonable to rely on the disposal system, underlying soils, and processes therein to prevent pathogen-indicator bacteria from reaching groundwater at densities exceeding those prescribed by Title 22, CR. However, neither the WWTF, nor the seepage pits, nor soils beneath the disposal area are likely to prevent groundwater degradation by TDS. Therefore, degradation, if it occurs, will be limited to groundwater underlying the disposal areas and limited to salinity constituents.
24. The typical incremental addition of dissolved salts through domestic water usage is 150 to 380 mg/L. Restaurant wastewater is considered to be "high strength" in comparison to domestic wastewater, typically containing higher concentrations of conventional pollutants. Considering the average TDS of the source water, the TDS increase for this project is projected to be higher than domestic wastewater. A study of actual TDS concentrations in facility wastewater flows, and an assessment of management practices and source control methods is required to determine what the appropriate discharge specification should be for this constituent.
25. Groundwater limitations equal to water quality objectives for indicator waste constituents and parameters are appropriate, as is the TDS groundwater limitation. The restaurant provides a needed service to the community and contributes to the overall economic development in the area. This and the associated increase in TDS are consistent with maximum benefit to the people of the State. Accordingly, the discharge as authorized is consistent with the antidegradation provisions of Resolution 68-16.

Other

26. Pursuant to CWC section 13263(g), discharge is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

CEQA and Public Participation

27. In accordance with the California Environmental Quality Act (CEQA), the Town of Yucca Valley Planning Division, acting as the lead agency, filed a Notice of Exemption for the project on March 11, 2005 with the County Clerk for the County of San Bernardino. The Town of Yucca Valley stated in the Notice of Exemption that the project is Categorically Exempt as it consists of an in-fill development of an existing shopping center.
28. The Board has notified the Discharger and all known interested agencies and persons of its intent to update waste discharge requirements for this discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
29. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the Discharger shall comply with the following:

A. Discharge Prohibitions

1. Discharge of wastes to surface waters or surface water drainage courses is prohibited.
2. Discharge of waste classified as 'hazardous,' as defined in section 2521(a) of Title 23, CCR, section 2510 et seq., or 'designated,' as defined in CWC section 13173, is prohibited.
3. Bypass or overflow of untreated or partially-treated waste is prohibited, except as allowed in Provision E.10.
4. Discharge of waste from the sanitary sewer system at any point upstream of the WWTF is prohibited.
5. Discharge of wastewater from WWTF, other than into the seepage pits described in Finding Nos. 4 and 5, above, is prohibited.
6. The WWTF and seepage pits shall be maintained so that at no time is sewage or treated effluent permitted to surface or overflow at any location.

B. Discharge Specifications

1. The 30-day monthly average daily discharge flow shall not exceed 10,050 gpd. The flow limit shall be applied to the flow leaving the WWTF.
2. Effluent from the WWTF shall not have a pH below 6.0 or above 9.0.
3. The treatment or disposal of wastes from the facility shall not cause pollution or nuisance as defined in Section 13050(l) and 13050(m) of Division 7 of the California Water Code.
4. Public contact with wastewater and the subsurface disposal area shall be precluded or controlled through such means as fences and signs, or acceptable alternatives.
5. The Discharger shall not cause degradation of any water supply.
6. All treatment, storage, and disposal areas shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
7. Operation of the WWTF shall not cause pollution or nuisance as defined in Section 13050 of the California Water Code.

Apple Core Enterprises, Inc.
 Applebee's Restaurant, Town Of Yucca Valley
 Waste Discharge Requirements

8. WWTF effluent shall not exceed the following effluent limits:

Constituent	Units	Monthly Average	Weekly Average	Daily Maximum
BOD ₅ ¹	mg/L	30	45	65
Total Suspended Solids	mg/L	30	45	65
Nitrogen (as Total Nitrogen)	mg/L	10	15	20
Oil and Grease	mg/L	--	--	30
¹ 5-day biochemical oxygen demand at 20 °C.				

C. Sludge Disposal

1. Collected screenings, biosolids, grease and oil, and other solids removed from liquid wastes shall be disposed of in a manner that is consistent with Title 27 and approved by the Executive Officer.
2. Any proposed change in biosolids use or disposal practice from a previously approved practice shall be reported to the Executive Officer and U.S. Environmental Protection Agency Regional Administrator at least 90 days in advance of the change.
3. Use and disposal of sludge shall comply with existing Federal and State laws and regulations, including permitting requirements and technical standards included in 40 CFR part 503. If the State Water Resources Control Board and the Regional Water Quality Control Boards are given the authority to implement regulations contained in the 40 CFR part 503, this Order may be reopened to incorporate appropriate time schedules and technical standards. The Discharger must comply with the standards and time schedules contained in 40 CFR part 503 whether or not they have been incorporated into this Order.

D. Groundwater Limitations

1. Discharge of waste constituents from the seepage pits shall not cause groundwater to:
 - a. Contain any of the following constituents in concentration greater than as listed:

Constituent	Units	Limitation
Ammonia (as NH ₄)	mg/L	1.5
Boron	mg/L	0.7
Chloride	mg/L	106
Iron	mg/L	0.3
Manganese	mg/L	0.05
Sodium	mg/L	60
Total Coliform Organisms	MPN ¹ /100 mL	< 2.2
Total Dissolved Solids	mg/L	350
Nitrite (as N)	mg/L	1
Nitrate (as N)	mg/L	10
¹ Most Probable Number		

Apple Core Enterprises, Inc.
Applebee's Restaurant, Town Of Yucca Valley
Waste Discharge Requirements

- b. Exhibit a pH of less than 6.5 or greater than 8.5 pH units
- c. Impart to groundwater taste, odor, toxicity, or color that creates nuisance or impairs any beneficial use.

E. Provisions

1. The Discharger shall comply with Monitoring and Reporting Program (MRP) No. R7-2006-0030, and future revisions thereto, as specified by the Regional Board's Executive Officer.
2. When determining compliance with monthly or weekly average Discharge Specifications, and only one sample is available for that reporting period because of the prescribed monitoring frequency of MRP No. R7-2006-0030, the value of that sample shall be used to determine compliance with the average Discharge Specifications.
3. Prior to any modifications at this facility, which would result in material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Regional Board and obtain revised requirements before any modifications are implemented.
4. Prior to any change in ownership or management of this operation, the Discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
5. The Discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
6. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
7. The Discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation of the Porter-Cologne Water Quality Control Act and is grounds for enforcement action.
8. **Within 30 days of adoption of these Waste Discharge Requirements**, the Discharger shall submit an engineering report pursuant to Section 13267 of the California Water Code. The report shall be prepared by a registered civil engineer experienced in the design of domestic wastewater treatment and disposal facilities, describe the as-built WWTF and disposal system, and shall provide the following:
 - a. A description of the type and location of the flow metering instrumentation installed to meet compliance with the effluent flow limit and MRP No. R7-2006-0030.
 - b. A copy of the Operation and Maintenance (O&M) Plan for the WWTF and subsurface disposal area. The O&M Plan shall:
 - (1) Instruct field personnel on how to manage the day-to-day discharge operations to comply with the terms and conditions of this Order and how to make field adjustments, as necessary, to preclude nuisance conditions (e.g., surfacing water);
 - (2) Include a nuisance condition-troubleshooting flowchart for the WWTF and disposal area and a description of notification requirements in case of an emergency.

- (3) Include an Inspection and Maintenance Plan describing the procedures and schedule for inspecting, testing, and providing the necessary maintenance to the sewage collection system for the subdivision;
 - (4) Instruct plant personnel how to evaluate whether collected grease/scum/sludge need to be removed from the WWTF, and proper procedures for disposal of removed solids.
- 9. **By July 15, 2006**, the Discharger shall submit technical report in the form of a Quality Assurance Project Plan (QAPP) to conduct and submit the results of a study to characterize the sources contributing to the Total Dissolved Solids (TDS) concentrations of the effluent . The report shall be submitted to the Regional Boards Executive Officer for approval and contain a proposed time schedule for implementation and quality assurance (QA) procedures to:
 - a. Obtain representative samples and analyses of the restaurant's source water for general minerals; and
 - b. Identify and describe salt sources, processes, and operations in the restaurant that have to potential to contribute to the increased TDS of the influent into the wastewater treatment plant; and
 - c. Obtain representative samples and analyses of the sources, processes, and operations cited in Item b., above;
 - d. Compare the TDS of the effluent with the TDS of the source water.
- 10. Following completion of, and based on the results of, the study requested in Provision 9. above, but **by no later than December 15, 2006**, the Discharger shall submit a technical report in the form of a Source Control Plan to enable the Regional Board to establish, if necessary, a TDS effluent limitation. The report shall identify and/or evaluate alternatives to control to the maximum extent practicable TDS sources processes, and operations in the restaurant. In evaluating alternatives, the report shall address/provide:
 - a. The cost per pound of salt removed from the discharge of each alternative plan, for each source identified in Provision 9, above;
 - b. Discharger's financial and technical capability to implement the alternatives identified for source control;
 - c. Proposed alternative for source control and proposed value of the proposed incremental increase; and
 - d. A justification for the proposed incremental increase.
- 11. **Within 60 days following receipt of a complete Source Control Plan identified in Provision 10, above**, if the Executive Officer determines that implementation of the Discharger's proposed source control alternative, coupled with the other terms of this Order, ensure compliance with the Basin Plan water quality standards, the Executive Officer shall approve the incremental increase in writing. Alternatively, the Executive Officer shall recommend to the Regional Board an appropriate TDS effluent limitation.

Apple Core Enterprises, Inc.
Applebee's Restaurant, Town Of Yucca Valley
Waste Discharge Requirements

12. The Discharger shall, at all times, properly operate and maintain all systems and components of collection, treatment and control which are installed or used by the Discharger to achieve compliance with the conditions of this Board Order. Proper operation and maintenance includes effective performance, adequate process controls and appropriate quality assurance procedures. All systems both in service and reserved, shall be inspected and maintained on a regular basis. Records shall be kept of the inspection results and maintenance performed and made available to the Regional Board upon demand.
13. By-pass (the intentional diversion of waste streams from any portion of a treatment facility, except diversions designed to meet variable effluent limits) is prohibited. The Board may take enforcement action against the Discharger for by-pass unless:
 - a. (1) By-pass was unavoidable to prevent loss of life, personal injury, or severe property damage. (Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a by-pass. Severe property damage does not mean economic loss caused by delays in production); and
 - (2) There were no feasible alternatives to by-pass, such as the use of auxiliary treatment facilities or retention of untreated waste. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a by-pass that would otherwise occur during normal periods of equipment downtime or preventive maintenance; or
 - b. (1) by-pass is required for essential maintenance to assure efficient operation; and
 - (2) neither effluent nor receiving water limitations are exceeded; and
 - (3) the Discharger notifies the Board ten days in advance.
14. The Discharger shall report any by-pass or any noncompliance that may endanger human health or the environment. The Discharger shall immediately report orally information of the by-pass or noncompliance as soon as (1) the Discharger has knowledge of the discharge, (2) notification is possible, and (3) notification can be provided without substantially impeding cleanup or other emergency measures, to the Regional Board office and the Office of Emergency Services. During non-business hours, the Discharger shall leave a message on the Regional Board office voice recorder at (760) 346-7491. A written report shall also be provided within five (5) business days of the time the Discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance. The Discharger shall report all intentional or unintentional spills occurring within the facility to the Regional Board office in accordance with the above time limits.
15. The Discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;

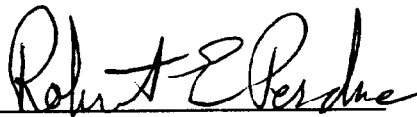
Apple Core Enterprises, Inc.
Applebee's Restaurant, Town Of Yucca Valley
Waste Discharge Requirements

- b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
16. The Discharger shall comply with the following:
- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - b. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order, for a period of at least 5 years from the date of the sample, measurement, report or application.
 - c. Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements.
 - (2) The individual(s) who performed the sampling or measurements.
 - (3) The date(s) analyses were performed.
 - (4) The individual(s) who performed the analyses.
 - (5) The analytical techniques or method used; and
 - (6) The results of such analyses.
17. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency.
18. The Discharger is the responsible party for the waste discharge requirements and the monitoring and reporting program for the facility. The Discharger shall comply with all conditions of these waste discharge requirements. Violations may result in enforcement actions, including Regional Board Orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board.
19. The Discharger shall provide adequate notice to the Regional Board's Executive Officer of the following:
- a. Any new introduction of pollutants into any of the treatment facilities described in the Findings of this Board Order from an indirect Discharger which would be subject to Section 301 or 306 of the Clean Water Act, if it were directly discharging the pollutants.

Apple Core Enterprises, Inc.
Applebee's Restaurant, Town Of Yucca Valley
Waste Discharge Requirements

- b. Any substantial change in the volume or character of pollutants being introduced into any of the treatment facilities described in the Findings of this Board Order by an existing or new source.
 - c. Any planned physical alterations or additions to the facilities described in this Board Order, or changes planned in the Discharger's sludge use or disposal practice, where such alterations, additions, or changes may justify the application of Board Order conditions that are different from or absent in the existing Board Order, including notification of additional disposal sites not reported during the Board Order application process, or not reported pursuant to an approved land application plan.
- 20. The Discharger shall report all instances of noncompliance. Reports of noncompliance shall be submitted with the Discharger's next scheduled self-monitoring report or earlier if requested by the Regional Board's Executive Officer, or if required by an applicable standard for sludge use and disposal.
 - 21. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
 - 22. The Discharger shall maintain a permanent log of all solids hauled away from the treatment facility for use/disposal elsewhere and shall provide a summary of the volume, type (screenings, grit, raw sludge, digested sludge), use (agricultural, composting, etc.), and the destination in accordance with the Monitoring and Reporting Program of this Board Order.
 - 23. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
 - 24. This Board Order may be modified, rescinded and reissued, for cause. The filing of a request by the Discharger for a Board Order modification, rescission and reissuance, or a notification of planned changes or anticipated noncompliance does not stay any Board Order condition. Causes for modification include the promulgation of new regulations, modification of land application plans, or modification in sludge use or disposal practices, or adoption of new regulations by the State Board or the Regional Board, including revisions to the Basin Plan.

I, Robert Perdue, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on June 21, 2006.

Ordered by: 
ROBERT PERDUE
Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

MONITORING AND REPORTING PROGRAM NO. R7-2006-0030
FOR

APPLE CORE ENTERPRISES INC.
APPLEBEE'S RESTAURANT, YUCCA VALLEY
WASTEWATER TREATMENT, AND DISPOSAL SYSTEMS
Town of Yucca Valley – San Bernardino County

Location of Wastewater Treatment Facility (WWTF) and Discharge:
Latitude/Longitude, 34.1278° N / 116.4056° W

MONITORING

1. The collection, preservation and holding times of all samples shall be in accordance with United States Environmental Protection Agency (USEPA) approved procedures. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted by a laboratory certified by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of the "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40CFR Part 136), promulgated by the USEPA.
2. Samples shall be collected at the location specified in the Permit. If no location is specified, sampling shall be conducted at the most representative sampling point available.
3. If the facility is not in operation, or there is no discharge during a required reporting period, the Discharger shall forward a letter to the Regional Board indicating that there has been no activity during the required reporting period.

SECONDARY EFFLUENT MONITORING DURING SYSTEM STARTUP

A sampling station shall be established at the point of discharge from the FAST units (at the D-box). During the initial startup period, until consistent levels of plant performance have been established, the following monitoring schedule shall be in place:

Constituents	Units	Type of Sample	Sampling Frequency	Reporting Frequency
PH	PH units	Grab	Weekly	Monthly
20° C BOD ₅	mg/L	Grab	Weekly	Monthly
Suspended Solids	mg/L	Grab	Weekly	Monthly
Settleable Solids	mg/L	Grab	Weekly	Monthly
Nitrite (NO ₂ ⁻ N) as Nitrogen	mg/L	Grab	Weekly	Monthly
Nitrate (NO ₃ ⁻ N) as Nitrogen	mg/L	Grab	Weekly	Monthly
Total Nitrogen	mg/L	Grab	Weekly	Monthly
Total Dissolved Solids	mg/L	Grab	Weekly	Monthly
Biocides / Disinfectants	Mg/L	Grab	Weekly	Monthly
VOCs ¹	µg/L ²	Grab	Monthly	Monthly
1 Volatile Organic Compounds testing is to be accomplished using the USEPA test methods 601 and 602 624				
2 Micrograms per liter				

SECONDARY EFFLUENT MONITORING

After consistent levels of plant performance have been established, and after the Discharger has obtained written approval of the Regional Board Executive Officer, the following monitoring schedule shall be in place:

Constituents	Units	Type of Sample	Sampling Frequency ¹	Reporting Frequency ¹
PH	PH units	Grab	Monthly	Quarterly
20° C BOD ₅	mg/L	Grab	Monthly	Quarterly
Suspended Solids	mg/L	Grab	Monthly	Quarterly
Settleable Solids	mg/L	Grab	Monthly	Quarterly
Nitrite (NO ₂ ⁻ N) as Nitrogen	mg/L	Grab	Monthly	Quarterly
Nitrate (NO ₃ ⁻ N) as Nitrogen	mg/L	Grab	Monthly	Quarterly
Total Nitrogen	mg/L	Grab	Monthly	Quarterly
Total Dissolved Solids	mg/L	Grab	Monthly	Quarterly
VOCs	µg/L	Grab	Annually	Annually

¹ When analysis show noncompliance with the limitations prescribed by Discharge Specification No. B.7, the Discharger shall increase the sampling frequency, for the constituents that are in noncompliance, to 1 sample per week, and continue sampling at that minimum frequency until either (a) the sampling shows compliance for two consecutive months or (b) it is notified by the Executive Officer that it can resume the normal sampling schedule.

WATER SUPPLY TO THE FACILITY

The Discharger shall establish a sampling station where a representative sample of the domestic water supply to the restaurant can be obtained; and shall provide written notification to the Executive Officer of the proposed sampling station. The sampling station is subject to the approval of the Executive Officer. Water supply monitoring shall include at least the following:

Constituents	Units	Sampling Frequency
TDS	mg/L	Quarterly
pH	pH units	Annually
Standard Minerals ¹	mg/l	Annually
¹ Standard Minerals shall include, at a minimum, the following elements/compounds: Barium, Calcium, Magnesium, Nitrogen, Potassium, Sulfate, Total Alkalinity (including alkalinity series), and Hardness		

REPORTING

1. The Discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the facility is operating in compliance with waste discharge requirements. Where appropriate, the Discharger shall include supporting calculations (e.g., for monthly averages).

Apple Core Enterprises Inc.
Applebee's Restaurant, Town Of Yucca Valley
Monitoring And Reporting Program

2. Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurement(s);
- b. The individual(s) who performed the sampling or measurement(s);
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or method used; and
- f. The results of such analyses.

3. The results of any analysis taken, more frequently than required at the locations specified in this Monitoring and Reporting Program shall be reported to the Regional Board.

4. Monitoring reports shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this monitoring report.

5. Each report shall contain the following statement:

"I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations".

6. The Monitoring and Reporting Program and other information requested by the Regional Board shall be signed by a principal executive officer or ranking elected official.

7. A duly authorized representative of the Discharger may sign the documents if:

- a. The authorization is made in writing by the person described above;
- b. The authorization specified an individual or person having responsibility for the overall operation of the regulated disposal system; and
- c. The written authorization is submitted to the Regional Board's Executive Officer.

8. Reporting of any failure in the facility (wastewater treatment plant, and collection and disposal systems) shall be as described in Provision No. 11. Results of any analysis performed as a result of a failure of the facility shall be provided within ten (10) days after collection of the samples.

9. The Discharger shall attach a cover letter to the Self Monitoring Report. The information contained in the cover letter shall clearly identify violations of the WDRs, discuss corrective actions taken or planned and the proposed time schedule of corrective actions. Identified violations should include a description of the requirement that was violated and a description of the violation.

Apple Core Enterprises Inc.
Applebee's Restaurant, Town Of Yucca Valley
Monitoring And Reporting Program

10. Daily, weekly and monthly monitoring reports shall be submitted to the Regional Board by the 15th day of the following month. Quarterly monitoring reports shall be submitted to the Regional Board by January 15, April 15, July 15, and October 15, of each year. Annual monitoring reports shall be submitted to the Regional Board by January 15 of each year.
11. The Discharger shall submit monitoring reports to:

California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring, Suite 100
Palm Desert, CA 92260

Ordered by: _____



ROBERT PERDUE
Executive Officer

Date

6-21-06

APPLE CORE ENTERPRISES INC.
APPLEBEE'S RESTAURANT, YUCCA VALLEY

**California Regional Water Quality Control Board
Colorado River Basin Region**



Attachment A

Site Map

Apple Core Enterprises, Inc.
Applebee's Restaurant
Wastewater Treatment, and Disposal Systems
Town of Yucca Valley – San Bernardino County

Facility Location 34.1278° N Latitude and 116.4056° W Longitude

Board Order No. R7-2006-0030

ATTACHMENT B – FLOW SCHEMATIC

